

SENATE BILL 2117
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 6 and Title 56, relative to workers'
compensation insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, Part 4, is amended by
inserting the following as a new, appropriately designated section thereto:

If an insurance carrier audits a policy of workers' compensation insurance and
thereafter assesses the employer a premium that is ultimately determined by a court of
competent jurisdiction or by an administrative appeal process authorized by the
commissioner of commerce and insurance to have been erroneously or unreasonably
assessed against the employer, then the insurance carrier shall reimburse the employer
for the employer's legal fees incurred in defense of the insurance carrier's effort to
increase the premium.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.